

The Honorable John H. Chun

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

STATE OF WASHINGTON, *et al.*,

Plaintiffs,

v.

DONALD TRUMP, *et al.*,

Defendants.

No. 2:25-cv-00602-JHC

UNOPPOSED MOTION OF THE
REPUBLICAN PARTY OF ARIZONA
AND RITE PAC FOR LEAVE TO FILE A
BRIEF AS *AMICI CURIAE*

Noted for: July 21, 2025

The Republican Party of Arizona (“RPAZ”) and RITE PAC respectfully move for leave to file a brief in this proceeding as *amici curiae*. The proposed brief is attached hereto as Exhibit A. No parties oppose the relief requested by this motion.

Although no specific court rule governs *amicus* briefs in this context, *see Wagafe v. Biden*, No. 17-cv-00094, 2022 WL 457983, at *1 (W.D. Wash. Feb. 15, 2022), this Court has recognized that “[t]he classic role of *amicus curiae* is to assist the court in a case of public interest by supplementing the efforts of counsel, and generally courts have exercised great liberality in

UNOPPOSED MOTION OF THE
REPUBLICAN PARTY OF
ARIZONA AND RITE PAC FOR
LEAVE TO FILE A BRIEF AS
AMICI CURIAE

–1–

ROBERT MCGUIRE LAW FIRM
600 1st Ave. Ste. 330 PMB 86685
Seattle, WA 98104
Tel/Fax: 253-267-8530

No. 2:25-cv-00602-JHC

1 permitting *amicus* briefs.” *El Papel LLC v. Inslee*, No. 2:20-cv-01323-RAJ-JRC, 2020 WL
 2 6219353, at *1 (W.D. Wash. Oct. 22, 2020) (cleaned up). More broadly, courts are “well advised
 3 to grant motions for leave to file *amicus* briefs unless it is obvious that the proposed briefs do not
 4 meet” the criteria of any relevant rules, “as broadly interpreted.” *Neonatology Associates, P.A. v.*
 5 *C.I.R.*, 293 F.3d 128, 133 (3d Cir. 2002) (Alito, J.); *see also id.* at 131 (observing that “an *amicus*
 6 who makes a strong but responsible presentation in support of a party can truly serve as the court’s
 7 friend”).

8 The RPAZ is a statewide political party committee under Arizona law, and the organizing
 9 body of Arizona electors who are registered members of the Republican Party, the largest political
 10 party in Arizona. The RPAZ sponsors and engages in large-scale voter registration efforts, and
 11 promotes the election of Republican candidates in Arizona. RITE PAC is a tax-exempt political
 12 organization organized and operated pursuant to section 527 of the Internal Revenue Code of 1986,
 13 whose mission is to protect the rule of law in elections throughout the United States. RITE PAC
 14 supports laws and policies that promote secure elections and enhance voter confidence in the
 15 electoral process.

16 Both *amici* have direct and substantial interests in the subject matter of this litigation and
 17 the relief that the Plaintiffs seek. Executive Order No. 14248, *Preserving and Protecting the*
 18 *Integrity of American Elections*, 90 Fed. Reg. 14005 (Mar. 25, 2025) (the “Executive Order”),
 19 regulates voter registration procedures and thus the security of the electoral process. The
 20 Executive Order’s provisions—and, by extension, any injunctions prohibiting their
 21 implementation—necessarily structure and condition the competitive environment in which the
 22 electoral system and its participants (including the RPAZ) operate. *See Mecinas v. Hobbs*, 30
 23 F.4th 890, 898 (9th Cir. 2022) (political parties have a legal interest in “election regulation[s]” that
 24 alter the “competitive landscape”); *Shays v. Fed. Election Comm’n.*, 414 F.3d 76, 86 (D.C. Cir.
 25

26
 27 UNOPPOSED MOTION OF THE
 REPUBLICAN PARTY OF
 ARIZONA AND RITE PAC FOR
 LEAVE TO FILE A BRIEF AS
AMICI CURIAE

–2–

ROBERT MCGUIRE LAW FIRM
 600 1st Ave. Ste. 330 PMB 86685
 Seattle, WA 98104
 Tel/Fax: 253-267-8530

2005) (recognizing political actors’ interests in regulatory developments that “alter the competitive environment’s overall rules”).

As an Arizona-based organization, RPAZ’s perspective on the use of documentary proof of citizenship in voter registration carries particular salience. Since 2004, Arizona has been virtually alone among the 50 states in requiring voters who use the state voter registration form to provide documentary proof of citizenship. *See* Ariz. Rev. Stat. §§ 16-166(F), 16-121.01(C). The Executive Order would adapt Arizona’s regulatory approach to the Federal Form published by the Election Assistance Commission (“EAC”). Under Arizona’s unique bifurcated voter registration system, individuals who register with the Federal Form and who do not have proof of citizenship on file with the state are designated as “federal-only” voters, and are ineligible to vote in state and local elections. *See* Ariz. Atty. Gen. Op. I13-011, 2013 WL 5676943 (Oct. 7, 2013). By extending the documentary proof of citizenship criterion to the Federal Form, the Executive Order ensures a more uniform and secure voter registration framework both in Arizona and nationwide.

The RPAZ and related Republican Party organizations have participated as parties and *amici* in various iterations of the long-running litigation arising out of Arizona’s proof of citizenship laws. *E.g.*, *Mi Familia Vota v. Fontes*, 129 F.4th 691 (9th Cir. 2025) (petition for rehearing *en banc* pending). The Republican National Committee recently obtained from the U.S. Supreme Court a stay of an injunction against the enforcement of an Arizona statute that requires registrants using Arizona’s state registration form to provide proof of citizenship. *See Republican Nat’l Comm. v. Mi Familia Vota*, 145 S. Ct. 108 (Mem.) (2024).

The *amici* thus are well-positioned to offer the Court a detailed and nuanced analysis of the “complex superstructure of federal regulation atop state voter-registration systems,” *Arizona v. Inter Tribal Council of Ariz., Inc.*, 570 U.S. 1, 4 (2013) (“ICTA”), created by the National Voter Registration Act of 1993, 52 U.S.C. § 20501, *et seq.* (“NVRA”).

UNOPPOSED MOTION OF THE
REPUBLICAN PARTY OF
ARIZONA AND RITE PAC FOR
LEAVE TO FILE A BRIEF AS
AMICI CURIAE

–3–

ROBERT MCGUIRE LAW FIRM
600 1st Ave. Ste. 330 PMB 86685
Seattle, WA 98104
Tel/Fax: 253-267-8530

The crux of the *amici*'s argument is that the U.S. Supreme Court has explicitly, *see ICTA*., 570 U.S. at 12, and implicitly, *see Republican Nat'l Comm.*, 145 S. Ct. at 108, concluded that documentary proof of citizenship is—or at least can be—“necessary to enable the appropriate State election official to assess the eligibility of the applicant and to administer voter registration and other parts of the election process,” within the meaning of the NVRA. 52 U.S.C. § 20508(b)(2). It follows that, regardless of whether or in what manner the President can direct the EAC's proceedings, the EAC itself undoubtedly has statutory authority to include a proof of citizenship component in the Federal Form.

The *amici* are concerned that Plaintiffs' misinterpretation of the NVRA to preclude any documentary proof of citizenship requirement in federal elections under *any* circumstances embodies a consequential interpretative error that, if accepted by the Court, would conflict with *ICTA* and the Supreme Court's interim order in the ongoing Arizona litigation, as well as carry disruptive and deleterious repercussions for the RPAZ's (and others') voter registration activities in Arizona.

Accordingly, the RPAZ and RITE PAC respectfully request leave to file their proposed brief as an *amici curiae*.

Respectfully submitted this 21st day of July, 2025.

STATECRAFT PLLC

By: s/ Thomas Basile
 Thomas Basile (*pro hac vice* forthcoming)
 E-mail: tom@statecraftlaw.com

649 North Fourth Avenue, First Floor
 Phoenix, AZ 85003
 Telephone: (602) 362-0036

*Attorneys for Proposed Amici REPUBLICAN
 PARTY OF ARIZONA and RITE PAC*

UNOPPOSED MOTION OF THE
 REPUBLICAN PARTY OF
 ARIZONA AND RITE PAC FOR
 LEAVE TO FILE A BRIEF AS
AMICI CURIAE

ROBERT MCGUIRE LAW FIRM

By: s/ Robert A. McGuire, III
Robert A. McGuire, III, WSBA #50649

600 1st Ave. Ste. 330 PMB 86685
Seattle, WA 98104
Tel/Fax: (253) 267-8530
E-mail: ram@lawram.com

*W.D. Wa. Local Counsel for Proposed Amici
REPUBLICAN PARTY OF ARIZONA and RITE
PAC*

UNOPPOSED MOTION OF THE
REPUBLICAN PARTY OF
ARIZONA AND RITE PAC FOR
LEAVE TO FILE A BRIEF AS
AMICI CURIAE

ROBERT MCGUIRE LAW FIRM
600 1st Ave. Ste. 330 PMB 86685
Seattle, WA 98104
Tel/Fax: 253-267-8530

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically with the Clerk of the Court using the CM/ECF system on July 21, 2025, and was served via the Court's CM/ECF system on all counsel of record:

DATED: July 21, 2025

/s/ Robert A. McGuire, III

Robert A. McGuire, III, WSBA #50649

UNOPPOSED MOTION OF THE
REPUBLICAN PARTY OF
ARIZONA AND RITE PAC FOR
LEAVE TO FILE A BRIEF AS
AMICI CURIAE

–6–

ROBERT MCGUIRE LAW FIRM
600 1st Ave. Ste. 330 PMB 86685
Seattle, WA 98104
Tel/Fax: 253-267-8530